REMARKS

The final Office action mailed on 12 February 2002 (Paper No. 9) has been carefully considered. Claims 1 thru 12 remain pending in this application.

In paragraph 3 on page 3 of the final Office action, the Examiner rejected claims 1 thru 12 under 35 U.S.C. §103 for alleged unpatentability over Young *et al.*, U.S. Patent No. 5,479,266 in view of Lawler *et al.*, U.S. Patent No. 5,699,107 and Yuen *et al.*, U.S. Patent No. 6,154,203. For the reasons stated below, it is submitted that the invention recited in the claims is distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §103.

Young *et al.* '266 discloses a user interface for a television schedule system. Young *et al.* '266 does not state how the schedule information for the television schedule system is obtained. Thus, Young *et al.* '266 does not appear to disclose the pre-storage of program identification information which, as claimed, is contained in broadcast signals of broadcast stations.

Young *et al.* '266 also does not disclose selecting a given broadcast program **for reserve-recording** in combination with maintaining the viewing of the given broadcast program **selected for recording** without interruption while reading the program identification information.

On page 2 of the Office action, the Examiner admits that Young *et al.* '266 does not disclose that the viewing of a currently reviewed program is maintained while program identification information corresponding to a selected broadcast program is read from pre-stored program

identification information. However, the Examiner cites Yuen *et al.* '203 as allegedly disclosing, in Fig. 2 thereof, maintenance of the viewing of a broadcast program.

A review of Yuen *et al.* '203, and Fig. 2 in particular, discloses that a "picture in a picture" arrangement is provided so that a video broadcast program 42 is reduced substantially in size, and displayed in the upper left hand portion of a display screen, while broadcast information is displayed in the lower half of the screen, and specifically selected broadcast information is displayed in an upper right hand portion of the screen. However, the viewing of the program and simultaneous viewing of the broadcast information is not carried out with respect to a program **selected for reserve-recording** as claimed herein. In fact, Young *et al.* '266 describes this feature as the use of "a picture-in-picture (PIP) setup to allow the user to view an active television channel while **browsing** the channel guide" (emphasis supplied -- Abstract, lines 2-3). Thus, the user is not necessarily viewing broadcast information corresponding to the broadcast being viewed, as claimed herein.

In addition, the broadcast being viewed in Young *et al.* '266 is not a program which has been selected for reserve-recording, as claimed. In Young *et al.* '266, the broadcast being viewed is merely a broadcast selected for viewing only.

Further, it cannot be said that Yuen *et al.* '203 discloses the maintenance of the viewing of a given program **without interruption** while program identification information corresponding to a selected broadcast program is being read. That is to say, in Yuen *et al.* '203, the viewing is

subjected to a substantial and even severe reduction (by 75% or more) in the size of the broadcast picture. Thus, even if the combination of Young *et al.* '266 and Yuen *et al.* '203 is a proper combination under 35 U.S.C. §103, the combination of the two disclosures does not result in the present invention, as now claimed.

In paragraph 1 of the final Office action, the Examiner states that, in Yuen *et al.* '203, "[a]lthough the video is reduced[,] the video is not interrupted" (quoting from page 2, lines 4-5 of the final Office action). It is submitted that a substantial reduction in the size of the viewed broadcast does constitute an "interruption" of the **viewing** of the program, that is, an interruption of "viewing", in the normal sense of the word, of the program.

In addition, Applicant respectfully submits that there is nothing within the "four corners" of the disclosure of Young *et al.* '266 which would prompt a person of ordinary skill in the art, upon reviewing the disclosure of that primary reference, to seek and incorporate the teachings of Yuen *et al.* '203. It is further submitted that the only reason the Examiner has been able to combine these two references is on the basis of hindsight, as assisted by the teachings presented in the present application. Thus, there is also a serious question as to the propriety of the combination of these two references under 35 U.S.C. §103.

On page 2 of the Office action, the Examiner also admits that Young *et al.* '266 does not disclose selection of reserve-recording with respect to a current broadcast program. Therefore, the Examiner cites Lawler *et al.* '107 as allegedly disclosing the selection of a current broadcast program

for reserve-recording. Applicant respectfully disagrees with this interpretation of Lawler *et al.* '107.

Specifically, Lawler *et al.* '107 discloses a program reminder system which is provided for the purpose of reminding a user of an interactive viewing system that a preselected program is available at a particular point of time. That is to say, the program reminder system of Lawler *et al.* '107 functions in such a manner that, upon arrival of the time at which a particular program is available, the reminder panel of the interactive viewing system identifies the selected program, informs the user that will be available shortly, and thus reminds the user to turn to the appropriate channel of the interactive viewing system for viewing (**not recording**) the selected program (*see* the Abstract, last four lines). Thus, even if the combination of Young *et al.* '266 and Yuen *et al.* '203 constitutes a proper combination under 35 U.S.C. §103, the result of combining these two references does not result in the invention, as claimed. That is to say, the arrangement resulting from the combination of these two references does not have the capability of **automatically** selecting a broadcast program currently being viewed, and of setting **reserve-recording** with respect to the broadcast program currently being viewed.

In paragraph 1 of the final Office action, the Examiner points out the following: "Although Lawler et al. does offer a reminder feature (figure 8), the previous office action reference figure 10" (quoting from page 2, lines 17-18 of the final Office action). Apparently, the Examiner is citing Fig. 10 of Lawler *et al.* '107 for the disclosure of a "Record This Show" capability, referring to a program currently being viewed. This constitutes a disclosure of what appears to be an "instant record" or "quick timer" feature, which is not relevant to the claimed invention. That is, the claimed invention

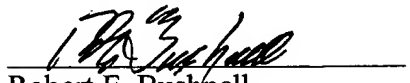
pertains to a method and system which perform, in sequence, respective steps and functions of pre-storing program identification information, selecting a given broadcast program for reserve-recording during viewing thereof, maintaining the viewing of the program while reading the program identification information, and setting reserve-recording data using the program identification information. A recording step, such as is disclosed in Yuen *et al.* '203, is not a part of the inventive method or system.

In addition, as was the case with respect to the combination of Young *et al.* '266 and Lawler *et al.* '107, there is nothing within the "four corners" of the disclosure of Young *et al.* '266 which would motivate a person of ordinary skill in the art, upon reviewing that disclosure, to seek and incorporate the teachings of Yuen *et al.* '203. It is submitted that the only reason that the Examiner has been able to combine these two references is based on hindsight, as assisted by the teachings of the present application alone.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

No fee is incurred by this Response.

Respectfully submitted,



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